

was based on their hard work and, yes, as Martin Luther King said, on the content of their character.

We believed, as a people, in rights and believed these rights to be given by God and that the purpose of government was protecting these rights.

Well, most people, when they think of that, think of religion and think of speech and the right of assembly. But patent rights are a right of property. It's a right that is written into our Constitution. The United States of America is one of the only countries of the world to have written into its founding document, the Constitution, a section dealing with patent rights.

Let us note that in the body of the Constitution, before the Bill of Rights, the word right is only used once, and that is the right of an author or an inventor to own and control the product of his labor, his or her labor, for a given period of time.

In fact, Benjamin Franklin was a great inventor as well as one of our Founding Fathers and one of the great champions of liberty in the history of humankind, as was Thomas Jefferson, as was Washington.

It was George Washington who requested of the First Continental Congress that they pass, as one of their first laws, a patent law, the Patent Act of 1790, which became the foundation of America's technological progress from that point till today.

Others of our Founding Fathers were people who believed in freedom, but they also believed in technology. Visit Monticello and see what Thomas Jefferson did with his time after he penned the words of the Declaration of Independence and had served as President of United States. He went back to Monticello and spent his time inventing things, things that would lift the burden from the shoulders of labor. Yes, he, in fact, signed his name as the first Patent Commissioner of the United States, which was invested in the Office of the Secretary of State at that time.

Benjamin Franklin, the inventor of the bifocal and the stove, the potbellied stove, which made a huge difference in the well-being of people for hundreds of years thereafter.

These Founding Fathers were our Founding Fathers, and they knew that with freedom and technology, we could increase the standard of living of our people, all our people, not just the elite, but the average person could come here and live with a modicum of dignity and decency and prosperity in their lives.

Our people were not just the Americans who were here, our Founding Fathers knew that, but were the tens of millions of Americans who would come here in the future on such a grand scale. And we would know, and they knew that if the people were going to come here and occupy this land from one part of the continent to the other, that wealth would have been to be produced on a grand scale as well. It

couldn't be relied on just on brute muscle strength and the strength of animals.

Instead, our Founding Fathers knew that machines and technology would produce the wealth necessary to have a free and prosperous society. That's why they built into our Constitution the strongest patent protection of anywhere in the world, and that is why, in the history of mankind there has never been a more innovative nor creative people.

It's not just the diversity of our people that's given us this creativity. It's been the innovation and progress that was inherent in the way we structured our law, our patent law.

Recently I sat next to a Japanese minister over lunch, and he was telling me how Americans are always the ones who are coming up with the creative new ideas; what we do is just improve on those ideas, but we're trying to make our people more creative. And he was discussing different ways. And I said, it's real easy. All you have to do is make sure you change your patent system. You have a fundamentally different patent system than we do. He was shocked. He'd never thought of that.

And, in fact, the patent system in Japan was designed to help corporate interests utilize technology rather than protect the rights of the creators of new ideas. And of course, if the creators are being bullied and robbed, they're not going to come up with much. And guess what? In Japan, they don't, because your Shogun system of elitists in Japan steal the technology from their own creative people, and thus, their people don't create.

Americans have known that they have rights to own their own creations since the founding of our country. That has become part of our character, although most people don't relate it back to the law. Most people don't relate the character of our people back to the law when it comes to freedom of speech and those things in our Constitution as well, freedom of religion. But they are so important to the development of our national character. We would have had a different national character without those rights and without the rights that were granted to our inventors and our technologists in our Constitution by our Founding Fathers.

Everyone has heard about Thomas Fulton's steamboat. Well, let me note that Thomas Fulton didn't invent the steam engine. He invented the steamboat. Because in Europe and elsewhere, they didn't see technology necessarily as something that was very good. The average person thought technology was going to replace me as a job, and the steam engine was not permitted to be used there.

In the United States, the American people always understood machines will help produce more wealth. It will magnify the production and the by-product of our labor, and it's good for people to have a society which has more wealth rather than less.

So Mr. Fulton put that steam engine on a boat and put it to work because we knew, and the American people as well as our leaders knew, that machines, good technology will help all the people of a country.

Cyrus McCormick invented a reaper that helped produce more food so people were well fed in this country, as compared to other societies which have had so many famines.

Samuel Morse invented the telegraph, which led to the telephone, et cetera. Thomas Edison, the light bulb, and so many other inventions.

Black Americans, here's something that is never recognized too much out of the Black community, but Black Americans have been prolific inventors. Even at times of mass discrimination against our Black fellow citizens, the patent office and rights, property rights for inventions were respected, and the Black community succeeded in, perhaps more than any other community compared to their numbers, in offering inventions and innovations.

Jan Metzlinger was a Black, former Black slave who invented a machine that was used in the manufacturing of shoes which dramatically changed the shoe industry. And before then, Americans had one pair of shoes. They could expect to have one pair of shoes in their life. And it was a Black man who invented the machine that made the production of shoes so effective and efficient that people could have different shoes. And when they wore out, they didn't have to wear shoes that had holes in the bottom of them.

George Washington Carver, one of the great renowned American inventors, respected by scientists, respected throughout the world; there are so many examples of Black inventors, because their rights in that area, that one little area of the Constitution, while they were being suppressed in other areas, their rights for ownership of patents was respected and thus, in that area, they prevailed and they flowered. And they invented things that did wonderful things for our country and the rest of our population. It's too bad it took so long for us to catch up in the other areas of protecting the rights of Black Americans. But they can be proud that, even during the time when they were under suppression, that they were able to succeed in developing new creative ideas that helped this entire country.

We are proud of our history of technologies, because we know, as Americans, as we have always known, that these inventions, no matter who invented them, would produce more wealth with less labor and thus increase the standard of living of all of our people and the opportunity of all of our people. And thus, it built a society which we have become very proud of and that we should be proud of.

But I suggest today that if we change those fundamental laws, which this bill is attempting to do, we will obliterate, in one or two generations, the great